

## Remarks

**[0001]** Herein, the "Action" or "Office Action" refers to the non-final Office Action dated April 5, 2007.

**[0002]** Applicant respectfully requests reconsideration and allowance of all pending claims of the application. Claims 1-36 are presently pending. Claims amended herein are 1, 7, and 31. Claims withdrawn or canceled herein are None. New claims added herein are None.

## Formal Objections

### Claim Objections

**[0003]** Claims 11 and 30 are objected to as being of improper dependent form (*Office Action*, p.2). In response, Applicant respectfully submits that claims 11 and 30 are similar to an acceptable product-by-process claim in that it defines a computer-readable medium having computer-executable instructions which direct a computer to perform the methods set forth in claims 7 and 21, respectively. The methods are thus physically embodied in a computer-readable medium. Claims 11 and 30 are proper in their construction in that they reference and depend from previous claims 7 and 21, and still further defines the product created having embodied thereon the methods in claims 7 and 21. Moreover, the metes and bounds of claims 11 and 30 are clearly set forth in the methods of claims 7 and 21 from which claims 11 and 30 depend, respectively.

**[0004]** The fourth paragraph of 35 U.S.C. §112 requires "a claim in dependent form shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed." Claims 11 and 30 satisfy this statutory requirement. Claims 11 and 30 are written in a format that defines, in dependent form, a computer-readable medium to perform a method, thus enabling the performance of the methods set forth in claims 7 and 21, respectively.

**[0005]** The format of claiming a computer-readable medium with instructions to perform a method, or a computer programmed to perform the method, was approved in *In re Beauregard*, 35 USPQ2d 1383 (Fed. Cir. 1995). The primary difference between the *Beauregard* claims and claim 48 is that claim 48 is written in a dependent format. Often this format raises an initial concern because the preambles of the dependent claims differ from the base claims. However, the present dependent claims also comply with a format approved by the Board of Patent Appeals and Interferences in *Ex parte Adrianus P.M.M. Moelands*, 3 USPQ2d 1474 (PTO Board of Pat App and Int 1987). In *Moelands*, the Board upheld as appropriate the following dependent claim to a data transmission system:

Claim 11. A data transmission system comprising:  
at least two of the data transmission stations of  
claim 10;  
a clock bus interconnecting the clock terminals of  
the stations; and  
means which maintain the clock bus at the second  
voltage level in the absence of forcing by the stations.

**[0006]** Although the preamble in *Moelands'* claim 11 to a "data transmission system" is different than the preamble in claim 10 to a "data transmission station" (from which claim 11 depends), the Board held that this dependent claim format satisfies the statutory requirements of both the second and fourth paragraphs of 35 U.S.C. §112.

**[0007]** Accordingly, claims 11 and 30 are in an acceptable dependent format. Applicant respectfully requests that the objection to claims 11 and 30 be withdrawn.

## **Substantive Claim Rejections**

### **35 USC § 102 Claim Rejections**

**[0008]** Claims 1-36 are rejected under 35 U.S.C. §102(b) as being anticipated by a non-patent publication by Andy Rathbone, entitled "Windows® XP for Dummies" (*hereinafter* "Rathbone") (*Office Action* p. 3).

**[0009]** Applicant respectfully traverses the rejections, and requests reconsideration and allowance in light of the comments and amendments contained herein. Accordingly, Applicant requests that the rejections be withdrawn and that the case be passed along to issuance.

**[0010]**      **Claim 1** a user interface, comprising:

    a logon page configured to display one or more selectable logon controls each having a corresponding user-identifiable indicator;

    a desktop page configured to display in response to a selectable logon control being selected, the desktop page further configured to display user selectable controls in one or more regions of the desktop page and display the user identifiable indicator corresponding to the selectable logon control; and

    a transition from the logon page to the desktop page, the transition configured to display after the selectable logon control has been selected but prior to display of the desktop page, the transition further configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transition, thereby enhancing a computing session by providing seamless continuity when a user logs onto the computing system.

**[0011]**      In order for Rathbone to anticipate this claim, Applicant submits that Rathbone must disclose each and every element and feature of the claim and that they must be arranged in the same manner as the claim. Applicant respectfully submits that Rathbone does not disclose all of the claimed elements and features of claim 1. For example, Rathbone does not show or disclose "a transition from the logon page to the desktop page, the transition configured to display after the selectable logon control has been selected but prior to display of the desktop page, the transition further configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transition, thereby enhancing a computing session by providing seamless continuity when a user logs onto the computing system," as recited in claim 1.

**[0012]** To support its assertion of anticipation, the Office cites to Figs. 4-1 and 4-3 of Rathbone. Fig. 4-1 which was cited by the Office shows a logon page in Windows® XP as indicated by the Office (*Office Action*, p.3; *Rathbone*, Fig. 4-1).

**[0013]** Fig. 4-3 which was cited by the Office shows that, in Windows® XP, various programs can be accessed when a user selects the start button at the desktop page, the caption for the figure states that "[t]he start button in Windows XP hides dozens of menu for starting programs." (*Office Action*, p.3; *Rathbone*, p.66). More specifically, the menu shown in Fig. 4-3 of Rathbone is available only after the user has logged in and is at the user's desktop page. In other words, the menu shown in Fig. 4-3 of Rathbone is displayed only after a user has selected the start button from the user's desktop page. As such, Rathbone does not disclose "a transition from the logon page to the desktop page, the transition configured to display after the selectable logon control has been selected but prior to display of the desktop page, the transition further configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transition, thereby enhancing a computing session by providing seamless continuity when a user logs onto the computing system", as recited in claim 1 (Emphasis Added).

**[0014]** Accordingly, claim 1 is allowable over Rathbone for at least these reasons, and Applicant respectfully requests that the §102 rejection be withdrawn.

**[0015]**     **Claims 2-6** are allowable by virtue of their dependency upon claim 1 (either directly or indirectly). Additionally, some or all of claims 2-6 may be allowable over Rathbone for independent reasons.

**[0016]**     **Claim 7** recites a method, comprising:

displaying a logon page with one or more selectable logon controls that each have a corresponding user-identifiable indicator;

displaying a desktop page in response to a selectable logon control being selected, the user interface desktop page including user selectable controls in one or more regions of the desktop page and including the user identifiable indicator corresponding to the selectable logon control; and

transitioning from the logon page to the desktop page, such that a transition is configured to display after the selectable logon control has been selected but prior to display of the desktop page, and wherein the transition is further configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transitioning.

**[0017]**     Claim 7 is rejected for reasons similar to those presented in the rejection of claim 1 (*Office Action*, p.3). Applicant respectfully submits that based on reasoning similar to that discussed above in response to the rejection of claim 1, Rathbone does not disclose all of the claimed elements and features of claim 7. For the sake of brevity, Applicant has not repeated the arguments.

**[0018]** Accordingly, claim 7 is allowable over Rathbone for at least these reasons, and Applicant respectfully requests that the §102 rejection be withdrawn.

**[0019]** **Claims 8-11** are allowable by virtue of their dependency upon claim 7 (either directly or indirectly). Additionally, some or all of claims 8-11 may be allowable over Rathbone for independent reasons.

**[0020]** **Claim 12** recites a user interface, comprising:

- a logon page configured to display one or more selectable logon controls each having a corresponding user-identifiable indicator;

- a desktop page configured to display user selectable controls in one or more regions of the desktop page and display the user identifiable indicator corresponding to a selected one of the one or more selectable logon controls; and

- a start page configured to display before the desktop page and in response to the selectable logon control being selected on the logon page, the start page further configured to display the user-identifiable indicator corresponding to the selectable logon control and display one or more of the user selectable controls from any of the one or more regions of the desktop page.

**[0021]** In order for Rathbone to anticipate this claim, Applicant submits that Rathbone must disclose each and every element and feature of the claim and that they must be arranged in the same manner as the claim. Applicant respectfully submits that based on reasoning similar to

that discussed above in response to the rejection of claims 1, Rathbone does not disclose all of the claimed elements and features of claim 12.

**[0022]** For example, Rathbone does not show or disclose "a start page configured to display before the desktop page and in response to the selectable logon control being selected on the logon page", as recited in claim 12.

**[0023]** As previously described, to support its assertion of anticipation, the Office cites to Figs. 4-1 and 4-3 of Rathbone. Fig. 4-1 which was cited by the Office shows a logon page in Windows® XP (*Office Action*, p.5; *Rathbone*, Fig. 4-1).

**[0024]** Fig. 4-3 which was cited by the Office shows that, in Windows® XP, various programs can be accessed when a user selects the start button at the desktop page, the caption for the figure states that "[t]he start button in Windows XP hides dozens of menu for starting programs." (*Office Action*, p.3; *Rathbone*, p.66). More specifically, the menu shown in Fig. 4-3 of Rathbone is available only after the user has logged in and is at the user's desktop page. As such, Rathbone does not disclose "a start page configured to display before the desktop page and in response to the selectable logon control being selected on the logon page", as recited in claim 12.

**[0025]** Further, since Rathbone does not disclose the start page, Rathbone also does not show or disclose "the start page further configured to display the user-identifiable indicator corresponding to the selectable



logon control and display one or more of the user selectable controls from any of the one or more regions of the desktop page," as recited in claim 12.

**[0026]** Accordingly, claim 12 is allowable over Rathbone for at least these reasons, and Applicant respectfully requests that the §102 rejection be withdrawn.

**[0027]** **Claims 13-20** are allowable by virtue of their dependency upon claim 12 (either directly or indirectly). Additionally, some or all of claims 13-20 may be allowable over Rathbone for independent reasons.

**[0028]** **Claim 21** recites a method, comprising:

displaying a logon page with one or more selectable logon controls that each have a corresponding user-identifiable indicator;

displaying a desktop page that includes user selectable controls in one or more regions of the desktop page and that includes the user identifiable indicator corresponding to a selected one of the one or more selectable logon controls; and

displaying a start page before the desktop page and in response to the selectable logon control being selected on the logon page, the start page including the user-identifiable indicator corresponding to the selectable logon control and including one or more of the user selectable controls from any of the one or more regions of the desktop page.

**[0029]** Claim 21 is rejected for reasons similar to those presented in the rejection of claim 1 and 12 (*Office Action*, p.5). Applicant respectfully

submits that based on reasoning similar to that discussed above in response to the rejection of claims 1 and 12, Rathbone does not disclose all of the claimed elements and features of claim 21. For the sake of brevity, Applicant has not repeated the arguments.

**[0030]** Accordingly, claim 21 is allowable over Rathbone for at least these reasons, and Applicant respectfully requests that the §102 rejection be withdrawn.

**[0031]** **Claims 22-30** are allowable by virtue of their dependency upon claim 21 (either directly or indirectly). Additionally, some or all of claims 22-30 may be allowable over Rathbone for independent reasons.

**[0032]**     **Claim 31** recites one or more computer readable media comprising computer executable instructions that, when executed, direct a computing system to:

display a logon page with one or more selectable logon controls that each have a corresponding user-identifiable indicator;

transition from the logon page to a start page in response to one of the one or more selectable logon controls being selected while displaying the user-identifiable indicator corresponding the selected one of the one or more selectable logon controls uninterrupted throughout the transition to the start page;

display the start page to include the user-identifiable indicator corresponding the selectable logon control and to include one or more user selectable controls from any of one or more regions of a desktop page;

transition from the start page to the desktop page while displaying the user-identifiable indicator corresponding the selectable logon control uninterrupted throughout the transition to the desktop page; and

display the desktop page to include the user-identifiable indicator corresponding the selectable logon control and to include the one or more user selectable controls and additional user-selectable controls displayed in the one or more regions of the desktop page.

**[0033]**     In order for Rathbone to anticipate this claim, Applicant submits that Rathbone must disclose each and every element and feature of the claim and that they must be arranged in the same manner as the claim. Applicant respectfully submits that Rathbone does not disclose all of the claimed elements and features of claim 31. For example, Rathbone

does not show or disclose "transition from the logon page to a start page in response to one of the one or more selectable logon controls being selected while displaying the user-identifiable indicator corresponding the selected one of the one or more selectable logon controls uninterrupted throughout the transition to the start page," then "display the start page to include the user-identifiable indicator corresponding the selectable logon control and to include one or more user selectable controls from any of one or more regions of a desktop page" and then "transition from the start page to the desktop page while displaying the user-identifiable indicator corresponding the selectable logon control uninterrupted throughout the transition to the desktop page", as recited in claim 31.

**[0034]** To support its assertion of anticipation, the Office cites to Figs. 4-1 and 4-3 of Rathbone. Fig. 4-1 which was cited by the Office shows a logon page in Windows® XP, while Fig. 4-3 which was cited by the Office shows that, in Windows® XP, various programs can be accessed when a user selects the start button at the desktop page. Notably, the caption for the Fig. 4-3 states that "[t]he start button in Windows XP hides dozens of menu for starting programs." (*Rathbone*, Fig. 4-3 p.66). More specifically, the menu shown in Fig. 4-3 of Rathbone is available only after the user has logged in and is at the user's desktop page. In other words, the menu shown in Fig. 4-3 of Rathbone is displayed only after a user has selected the start button from the user's desktop page.

**[0035]** As such, Rathbone does not disclose a "transition from the logon page to a start page in response to one of the one or more

selectable logon controls being selected while displaying the user-identifiable indicator corresponding the selected one of the one or more selectable logon controls uninterrupted throughout the transition to the start page,” then “display the start page to include the user-identifiable indicator corresponding the selectable logon control and to include one or more user selectable controls from any of one or more regions of a desktop page” and then a “transition from the start page to the desktop page while displaying the user-identifiable indicator corresponding the selectable logon control uninterrupted throughout the transition to the desktop page”, as recited in claim 31 (Emphasis Added).

**[0036]** Accordingly, claim 31 is allowable over Rathbone for at least these reasons, and Applicant respectfully requests that the §102 rejection be withdrawn.

**[0037]** **Claims 32-36** are allowable by virtue of their dependency upon claim 31 (either directly or indirectly). Additionally, some or all of claims 32-36 may be allowable over Rathbone for independent reasons.

### **Dependent Claims**

**[0038]** In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant submits that the Office withdraw the rejection of each dependent claim where its base claim is allowable.

## **Conclusion**

**[0039]** All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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